

**United States District Court
District of New Hampshire**

NOTE: The summary below is not comprehensive and is only intended to highlight the Local Rule changes effective January 1, 2008. Counsel and pro se litigants should not rely on the contents of this document and are responsible to consult the Local Rules and the Federal Rules of Civil and Criminal Procedure. Please note that minor changes mandated by the style revisions to the Federal Rules of Civil Procedures, and other non-substantive changes, are not listed below.

SUMMARY OF LOCAL RULE CHANGES - 2008	
CIVIL	
RULE	CHANGE
1.1, General	* Changed "amended" date to January 1, 2008. * Added definitions for "Conventionally Filed/Served" and "Electronically Filed/Served".
4.3(d)(2)(C), Pro Se Filings	Amended to make clear that service of a complaint filed by an incarcerated plaintiff shall not be made, or be deemed to have been made, on any defendant until a report and recommendation is issued ordering service after preliminary review by the Magistrate Judge.
5.1, Format and Service of Filings	* Clarified certain appendices requirements only apply to paper and not electronic filings. LR 5.1(a)(1) & (2). * Deleted provision allowing the filer to use a highlighter to bring attention to specific sections of pleadings. LR 5.1(a)(2). * Clarified that attorney signature block on pleadings must include, <u>inter alia</u> , the attorney's email address. LR 5.1(b). * Added new section to require documents submitted in foreign language be accompanied by an English translation version of the document. LR 5.1(h).

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CIVIL

RULE	CHANGE
7.1, Motions	<p>*Amended to require that any motion for leave to file a reply to a non-dispositive motion shall attach the proposed reply, which will be limited to five (5) pages, as an exhibit. LR 7.1(e)(2).</p> <p>*Amended to require that any motion for leave to file a surreply shall attach the proposed surreply, which will be limited to five (5) pages, as an exhibit. LR 7.1(e)(3).</p>
7.3, Hazardous Pleadings and Exhibits	Added new section to prohibit the filing of any "hazardous pleading or exhibit" without prior leave of court.
8.1, Redaction of Personal Identifiers in Filings	Effective December 1, 2007, redaction of personal identifier information will be governed by Fed. R. Civ. P. 5.2 and Fed. R. Crim. P. 49.1. Thus, LR 8.1 is deleted from the local rules.
9.2, Requests for Three-Judge Court	*Omitted subsection (b), which required that parties file an original and three (3) copies of every filing with the clerk's office in a three-judge court case.
9.3, Individuals with Disabilities Education Act (IDEA) Cases	Modified subsection (b) to clarify that a defendant may augment the administrative record in an IDEA case to include not only additional portions of the administrative hearing, but also additional documents believed to comprise the record.
24.1, Procedure for Notification of Any Claim of Unconstitutionality	Effective December 1, 2006, the procedures relating to a constitutional challenge to a statute are governed by Fed. R. Civ. P. 5.1. Thus, LR 24.1 is deleted from the local rules.
77.3 Filings	Amended subsection (d) to relieve the filing party of the responsibility to provide a courtesy chambers copy of pleadings filed electronically.

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CIVIL

RULE	CHANGE
77.5, Agreement with Districts of Rhode Island and Maine	<p>* Amended to provide that, in cases filed in New Hampshire that are referred to a judge in either the District of Rhode Island or the District of Maine, or when those districts refer cases to New Hampshire, all pleadings shall continue to be filed in the originating court and no courtesy copies need be filed in the referral court.</p> <p>* Amended to delete subsection (b), which required the parties to notify the referral court of any outstanding motions and objections in the case that they wish to renew.</p>
83.6, Appearances	Amended to allow multiple attorneys from the same firm to file appearances in a case.
83.13, Exhibits	Amended subsection (a)(3) to provide that no "hazardous exhibit" as defined in LR 7.3 shall be presented for premarking, premarked, introduced into evidence or maintained in the custody of the court without prior leave of court.

CRIMINAL

RULE	CHANGE
1.1(b), Effective	Changed "amended" date to January 1, 2008.
1.1(d), Scope	Amended section to note that new LR 7.3 applies to criminal cases.
12.1 Motion Practice	<p>* Amended to clarify that subsection (b), which governs the time frame for filing "dispositive and evidentiary motions," does not include motions in limine.</p> <p>* Added subsection (c), which specifically governs the time periods for filing motions in limine and corresponding objections.</p>
26.1, Motions in Limine	Deleted from local rules as the motion in limine practice rule is relocated to LCrR 12.1(c).

CRIMINAL	
RULE	CHANGE
32.1, Guideline Sentencing	Modified subsection (i) governing sentencing departure request to reflect the current practice post- <u>Booker</u> and its progeny.

FORMS	
FORM	CHANGE
Civil Form 1, Civil Case Management Deadlines	Amended various references to specific Federal Rules of Civil Procedure in the "Civil Case Management Deadlines" to reflect subsection changes resulting from the Federal Rules of Civil Procedure style revision project.
Criminal Form 1, Criminal Case Deadlines	Amended to reflect change of location in criminal local rules regarding in limine motions and corresponding objections as well as change to title of LCrR 32.1(i).